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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re:

APR 27 2010

U. S. Patent No. 6,609,975 issued August 26, 2003

OFFICE OF PETITIONS

Applicants: Thomas E. SAWYER, et al.

Confirmation No. 6772

Serial No.: 08/918,944

Art Unit: 3714

Filed: August 25, 1997

Examiner: SAGER, M.

For: ELECTRONIC SYSTEM AND Atty. Docket No.: Ten Stix '975  
METHOD FOR OPERATING AN INCENTIVE AUXILIARY GAMEPETITION TO REQUEST ACCEPTANCE OF A MAINTENANCE FEE DUE AFTER  
EXPIRATION OF U.S. PATENT NO. 6,609,975, PURSUANT TO RULE 378 AND  
RULE 20 (i)(1) UNAVOIDABLECommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

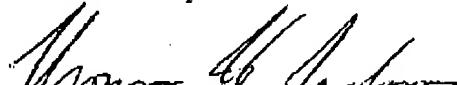
Mailstop: Petition

Sir:

The maintenance fee due per Rules 20(e) and 20(h) is calculated at \$490.00 for the 3 1/2 year maintenance fee plus a \$700.00 surcharge for late payment (small entity) unavoidable, Rule 378b. A total fee of \$1190.00 is being paid by credit card. The \$1190 includes the total maintenance fee due of \$490.00 with surcharge fee of \$700.00 due for this Petition pursuant to Rule 20(i)(1).

Respectfully submitted,  
PCT Law Group

By:

  
 Thomas H. Jackson (29,808)  
 818 Connecticut Avenue, N.W., Suite 700  
 Washington, D.C. 20006  
 Telephone: (202) 293-3559  
 Facsimile: (202) 280-1393

Dated: April 15, 2010

04/15/2010 12:26

CAMERON\*HORNBOSTEL → 15712738300

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NO. 839

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PTO/SB/86 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

04/20/2010 DALLEN 00000004 6609975

01 FC:1599 1190.00 0P

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at  
(571) 272-3282.

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Patent Number: 6609975Application Number: 08/918944Issue Date: August 26, 2003Filing Date: August 25, 1997

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CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_  
 original application number \_\_\_\_\_  
 original filing date \_\_\_\_\_

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application \_\_\_\_\_ filed on \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

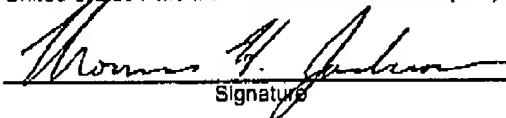
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

April 15, 2010

Date



Signature

Thomas H. Jackson

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 1. SMALL ENTITY

 Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

 Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/>	\$ _____	3 1/2 yr fee	<input checked="" type="checkbox"/>	\$ 490	3 1/2 yr fee
<input type="checkbox"/>	\$ _____	7 1/2 yr fee	<input type="checkbox"/>	\$ _____	7 1/2 yr fee
<input type="checkbox"/>	\$ _____	11 1/2 yr fee	<input type="checkbox"/>	\$ _____	11 1/2 yr fee

MAINTENANCE FEE BEING SUBMITTED \$ 490

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 700

## 5. MANNER OF PAYMENT

 Enclosed is a check for the sum of \$ \_\_\_\_\_ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_. Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

 The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_

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PTO/SB/85 (03-09)

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## 7. OVERPAYMENT

As to any overpayment made, please

 Credit to Deposit Account No. 504-462

OR

 Send refund check

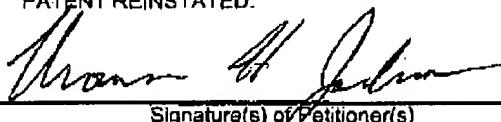
## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

April 15, 2010

Date

Thomas H. Jackson

29808

Typed or printed name(s)

Registration Number, if applicable

818 Connecticut Avenue, NW Suite 700

202-683-8929

Address

Telephone Number

Washington, DC 20006

Address

## ENCLOSURES:

- Maintenance Fee Payment
- Statement why maintenance fee was not paid timely
- Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
- Other: Statement that Payment was unavoidable under rule 37(b).

PTO/SB/85 (03-09)

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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."



Signature

Thomas H. Jackson

Type or printed name

April 15, 2010

Date

29808

Registration Number, if applicable

**STATEMENT**

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Submitted electronically through the USPTO Electronic Filing System.

(Please attach additional sheets if additional space is needed)

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